

1 **THERESA A. GOLDNER, COUNTY COUNSEL**  
2 **COUNTY OF KERN, STATE OF CALIFORNIA**  
3 **By Andrew C. Thomson, Deputy (Bar # 149057)**  
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9 **Attorney for Defendants, County of Kern,**  
10 **Office of the Kern County District Attorney,**  
11 **Kern County District Attorney Edward R. Jagels,**  
12 **Stephen Tauzer (deceased), Estate of**  
13 **Stephen Tauzer, Victoria Sharp**

14 **UNITED STATES DISTRICT COURT**  
15 **EASTERN DISTRICT OF CALIFORNIA**

16 GEORGE A. BOYLE, NORALEE BOYLE,  
17 DEAN J. MILLER, VICTOR VEVEA,  
18 ALENA VEVEA, RAMONA GUILLEN,  
19 MIRIAM RUIZ, LAW OFFICES OF  
20 GEORGE A. BOYLE, GIACHINO FAMILY  
21 ENTERPRISES,

22 Plaintiffs,

23 v.

24 COUNTY OF KERN, CITY OF  
25 BAKERSFIELD, OFFICE OF THE KERN  
26 COUNTY DISTRICT ATTORNEY,  
27 BAKERSFIELD POLICE DEPARTMENT,  
28 BAKERSFIELD CITY MANAGER ALAN  
TANDY, BAKERSFIELD POLICE CHIEF  
ERIC MATLOCK, KERN COUNTY  
DISTRICT ATTORNEY EDWARD R.  
JAGELS, STEPHEN TAUZER (deceased),  
ESTATE OF STEPHEN TAUZER,  
VICTORIA SHARP, SCOTT TUNNICLIFFE,  
RALPH WYATT, Does 1 - 1,000,

Defendants.

**CASE NO. 1:03-cv-05162 AWI GSA**

**STIPULATION TO DISMISS THE ENTIRE  
CASE, WITH PREJUDICE, INCLUDING  
ALL CLAIMS OF ALL REMAINING  
PLAINTIFFS AS TO ALL REMAINING  
DEFENDANTS; ORDER**

**[F.R.C.P. 41]**

25 **COME NOW**, the Parties herein, and appear by and through their respective counsel of  
26 record, as follows:

27 1. Attorney George A. Boyle of the Law Offices of George A. Boyle, represents himself,  
28 Noralee Boyle, Victor Vevea, Alena Vevea, Ramona Guillen, Miriam Ruiz, and the Law Offices of

1 George A. Boyle;

2 2. Attorney Michael G. Marderosian of Marderosian, Runyon, Cerccone & Lehman  
3 represents City of Bakersfield, Bakersfield Police Department, Bakersfield City Manager Alan Tandy,  
4 Bakersfield Police Chief Eric Matlock, Scott Tunnicliffe and Ralph Wyatt; and,

5 3. Deputy County Counsel Andrew C. Thomson of the Office of Kern County Counsel  
6 represents County of Kern, Office of the Kern County District Attorney, Kern County District  
7 Attorney Edward R. Jagels and Victoria Sharp.

8 **THEREFORE:**

9 The Parties represent, as follows:

10 1. All claims of Plaintiffs Dean J. Miller and Giachino Family Enterprises have been  
11 previously dismissed;

12 2. All claims against Defendants Stephen Tauzer (deceased), Estate of Stephen Tauzer  
13 have been previously dismissed; and,

14 3. On August 6, 2012, in correspondence to opposing counsel, Attorney George A. Boyle  
15 represented that he “*represent[s] all remaining plaintiffs in the matter of Boyle VS. (sic) County of*  
16 *kern (sic) et al.*” In the August 6, 2012 correspondence, Attorney George A. Boyle also represented  
17 that he “*has the authority to dismiss this entire case against all defendants in exchange for a waiver*  
18 *of costs and attorney’s fees from each and every defendant and their attorney. In other words, in*  
19 *exchange for said dismissal of the entire action, no plaintiff will incur any liability as to any*  
20 *defendant or cause of action.*” (A true and correct copy of the August 6, 2012 letter is attached hereto  
21 as Exhibit “A” for reference and as evidence of the Parties intent to dismiss the entire case.); and,

22 4. It is the desire of all remaining Plaintiffs and Defendants to settle this entire case for  
23 a dismissal with prejudice by all Plaintiffs in exchange for a waiver of all costs and fees, including  
24 attorney’s fees, by all Defendants.

25 **THEREFORE:**

26 The parties, and each of them through their respective counsel, agree and stipulate to settle  
27 the entire case, as follows:

28 1. This matter, *George A. Boyle et al. v. County of Kern et al.*, USDC Eastern District

Case No. 1:03-cv-05162 AWI GSA, is dismissed, in its entirety, with prejudice;

2. Each party shall bear his/her/its own costs and attorneys fees; and

3. The parties herein agree that this stipulation may be signed in counterparts.

LAW OFFICES OF GEORGE A. BOYLE

Dated: August 8, 2012

By: /s/ George A. Boyle

George A. Boyle

Attorneys for Plaintiffs George A. Boyle,  
Noralee Boyle, Victor Vevea, Alena Vevea,  
Ramona Guillen, Miriam Ruiz, and the  
Law Offices of George A. Boyle

MARDEROSIAN, RUNYON, CERCONO & LEHMAN

Dated: August 7, 2012

By: /s/ Michael G. Marderosian

Michael G. Marderosian

Attorney for Defendants City of Bakersfield,  
Bakersfield Police Department, Bakersfield City  
Manager Alan Tandy, Bakersfield Police Chief  
Eric Matlock, Scott Tunnicliffe and Ralph Wyatt

THERESA A. GOLDNER, COUNTY COUNSEL

Dated: August 9, 2012

By: /s/ Andrew C. Thomson

Andrew C. Thomson, Deputy

Attorneys for Defendants, County of Kern, Office  
of the Kern, County District Attorney, Kern  
County District Attorney Edward R. Jagels and  
Victoria Sharp

**ORDER**

**THE COURT** having been advised by counsel for the parties that the above-entitled action has settled, and good cause appearing therefore;

**IT IS ORDERED** that this action is hereby dismissed with prejudice. Each party to bear its own costs and attorneys' fees.

IT IS SO ORDERED.

Dated: August 10, 2012

  
CHIEF UNITED STATES DISTRICT JUDGE